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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,                   ) CASE NO. 06-545M  
10    )  
11       Plaintiff,                                      )  
12    )  
13       v.    )  
14       RONALD ALLEN SMITH,                         )  
15    )  
16       Defendant.                                      )  
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14       Offense charged:

15       Mail Fraud

16       Date of Detention Hearing: Initial Appearance October 10, 2006

17       The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18       based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19       that no condition or combination of conditions which defendant can meet will reasonably assure  
20       the appearance of defendant as required and the safety of other persons and the community.

21       FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22       (1)      Defendant and wife, a co-defendant in this case, have been indicted in the Eastern

01 District of Virginia for Mail Fraud, Engaging in Monetary Transactions in Criminally Derived  
02 Property, and criminal forfeiture. Defendant has also been indicted on charges of tax evasion and  
03 money laundering. Both defendants have waived an identity hearing and an order of transfer has  
04 been signed.

05 (2) Defendant was born in Virginia. He has resided in a number of locations, but  
06 reports that Virginia Beach, Virginia is where his family lives and where he always returns. He  
07 has been married to Denise Kirkland, his co-defendant, since 2004. The AUSA proffers that the  
08 defendant made his whereabouts unknown in 2002 when he was served with a subpoena pursuant  
09 to the investigation which led to the instant charges.

10 (3) The defendant did not submit evidence in opposition to the government's motion  
11 for detention, wishing to do so when he appears in the Eastern District of Virginia and has the  
12 opportunity to consult with counsel in that District.

13 (4) The defendant poses a risk of nonappearance due to some unverified background  
14 information, uncertain residential history and current address, and allegations that the defendant  
15 fled to Canada upon learning of the instant charges. He poses a risk of danger due to allegations  
16 that he may have been conducting similar conduct as that alleged in the indictment, as well as  
17 criminal history.

18 (5) There does not appear to be any condition or combination of conditions that will  
19 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
20 to other persons or the community.

21 It is therefore ORDERED:

22 (1) Defendant shall be detained pending trial and committed to the custody of the

01 Attorney General for confinement in a correction facility separate, to the extent  
02 practicable, from persons awaiting or serving sentences or being held in custody  
03 pending appeal;

04 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
05 counsel;

06 (3) On order of a court of the United States or on request of an attorney for the  
07 Government, the person in charge of the corrections facility in which defendant is  
08 confined shall deliver the defendant to a United States Marshal for the purpose of  
09 an appearance in connection with a court proceeding; and

10 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
11 counsel for the defendant, to the United States Marshal, and to the United States  
12 Pretrial Services Officer.

13 DATED this 11th day of October, 2006.

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16 Mary Alice Theiler  
17 United States Magistrate Judge  
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